

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

GALILEA, LLC and TAUNIA  
KITTLER,

Plaintiffs,

vs.

PANTAENIUS AMERICAN  
LIMITED, ANDREA M.  
GIACOMAZZA. AGCS MARINE  
INSURANCE COMPANY, LIBERTY  
MUTUAL INSURANCE COMPANY,  
and TORUS INSURANCE  
COMPANY,

Defendants.

CV 18-131-BLG-SPW

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on Defendant Andrea M. Giacomazza's Motion to Dismiss. (Doc. 34). The Magistrate recommended that Giacomazza's motion be granted. (Doc. 50 at 2).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.


*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313

(9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 50) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Giacomazza’s Motion to Dismiss (Doc. 34) is GRANTED and Plaintiffs’ claims against her (Counts I-VII) are DISMISSED.

DATED this 12<sup>th</sup> day of April 2021.

  
SUSAN P. WATTERS  
United States District Judge